

Application No. 09/330,651
Amendment Dated September 23, 2003
Reply to Office Action of April 23, 2003

REMARKS

I. Summary of Office Action

Claims 1-13, 15-28, and 30-34 were pending in the application. Claims 1-3, 10-13, 15-19, 25-28, and 34 were withdrawn from the application, as being drawn to non-elected inventions. Claims 5, 7, 20, and 25 were rejected under 35 U.S.C. § 102(e) as being unpatentable over Mir et al U.S. Patent No. 6,450,887 B1 (hereinafter "Mir"). Claims 6, 8, 9, 21, 23, and 24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Mir and WO/9709699 (hereinafter the "'699 publication").

II. The Claim Rejections under 35 U.S.C. § 102 and 35 U.S.C. § 103

The Examiner rejected claims 5, 7, 20, and 25 under 35 U.S.C. § 102(e) as being unpatentable over Mir and rejected claims 6, 8, 9, 21, 23, 24 under 35 U.S.C. § 103(a) as being unpatentable over Mir and the '699 publication. The Examiner's rejections are respectfully traversed.

Claims 5 and 20 are directed towards an interactive wagering method and system that provide a wager input interface having a plurality of wager requirements and a plurality of selectable options for each of the wager requirements. The wager requirements are displayed so that each wager requirement is substantially aligned in a first dimension. The selectable options for each of the plurality of wager requirements are displayed so that the selectable options which correspond to a wager requirement are substantially aligned in a second dimension with respect to that wager requirement.

Applicants have amended claims 5 and 20 to more particularly define the invention. Claims 5 and 20 have been amended to incorporate the features of dependent claims 6 and 21, which have been canceled without prejudice. Therefore, claims 5 and 20, as amended further specify that the plurality of wager requirements comprises a track selection, a race selection, a wager type selection, a horse selection, and an amount selection.

Because claims 5 and 20 as amended include the features of dependent claims 6 and 21, applicants will apply the Examiner's rejection of claims 6 and 21 to claims 5 and 20.

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Accordingly, the Examiner rejects amended claims 5 and 20 under 35 U.S.C. § 103(a) as being unpatentable over the combination of Mir and the '699 publication.

Mir refers to a system that allows users to place parimutuel wagers on past events. After a user selects a particular track and race number, the screen of FIG. 4 is displayed. See Mir, col. 9: 24-32. FIG. 4 shows three wager requirements (i.e., wager amount selection, wager type selection, and runner selection) in a column along the left-hand side of the screen. The associated selectable options for each wager requirement extend across the screen. Mir, however, fails to show or suggest providing a wager input interface having a plurality of wager requirements substantially aligned in a first dimension, where the plurality of wager requirements comprises a track selection, a race selection, a wager type selection, a horse selection, and an amount selection as specified by amended claims 5 and 20.

The Examiner relies on FIGS. 35-38 of the '699 publication for showing the "selection requirements of track selection, race selection, wager type selection, horse selection, and amount selection" (page 3 of Office Action). These FIGS., however, in contrast to applicants' invention, show each of these selection requirements on a separate screen. The Examiner even concedes this by stating that the "'699 publication does not teach the specific layout as claimed by applicant" (Office Action, page 3).

Nevertheless, the Examiner contends "that it would have been obvious to one of ordinary skill in the art to modify the layout of the '699 publication with the layout as disclosed by Mir et al to allow for faster entry of wagering information" (pages 3 and 4 of the Office Action). However, even if the layout of Mir were combined with the '699 publication, the combination would not result in applicants' claimed invention. This is because, as demonstrated above, Mir fails to show or suggest providing a wager input interface having a plurality of wager requirements substantially aligned in a first dimension, where the plurality of wager requirements comprises a track selection, a race selection, a wager type selection, a horse selection, and an amount selection as specified by amended claims 5 and 20.

Applicants would like to point out that there is no need for the Examiner to rely on the '699 publication for the wager requirements of track selection, race selection, wager type selection, horse selection, and amount selection. Mir shows each of these wager requirements.

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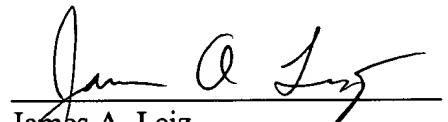
However, as described above, Mir fails to show or suggest displaying each of these wager requirements on a displayed interface as specified by amended claims 5 and 20. Rather, Mir teaches requiring a user to first select a track and race before presenting a screen containing a wager type selection, horse selection, and amount selection.

Accordingly, even if the layout of Mir were combined with the '699 publication, the combination would not result in applicants' claimed invention. Therefore, for at least the foregoing reasons, independent claims 5 and 20, as amended, and claims 7-9 and 22-24 which depend therefrom, are patentable over Mir and the '699 publication.

III. Conclusion

For at least the foregoing reasons, applicants respectfully submit that claims 5, 7-9, 20, and 22-24 are allowable. This application is therefore in condition for allowance. Reconsideration and allowance of this application are accordingly respectfully requested.

Respectfully submitted,



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